

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF IOWA**

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SOUTHERN DISTRICT OF IOWA

Calvin Hammock  
5106 Brown Street  
Davenport, Iowa 52806

Plaintiff/ Petitioner  
Pro Se

**Case No. 3:15-cv-00111-JAJ-CFB**

**PLAINTIFF'S RESPONSE TO**  
**DEFENDANT VIRGIN MOBILE'S REPLY**  
**TO PLAINTIFF'S RESISTANCE BRIEF**

**VS**

NASA HEADQUARTERS, DEPARTMENT  
OF DEFENSE, SPACE EXPLORATION  
TECHNOLOGIES SPACE X, APPLE,  
BLACKBERRY, CURVE CORP. VIRGIN  
MOBILE, MEDIACOM MCC IOWA LLC,  
AMERICAN WATER IOWA , ANY YET UN-  
IDENTIFIED ENTITIES , PERSONS,  
SATELLITES, GOVT AGENCIES, GOVT.  
TECHNOLOGIES, INTERAGENCIES, FUSION  
CENTER PARTICIPANT PARTNERS  
CORPORATIONS, COMPANIES, SOFTWARE USED  
BY AND WITH STATE ACTORS & TEMPORARY  
STATE ACTORS           **DEFENDANTS**

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NOW COMES Plaintiff in response to Defendant VIRGIN MOBILE'S Reply to Plaintiff's resistance Brief.

Law firm 'Belin McCormick' which have been hired for Defendant Virgin Mobile's defense at one time was Plaintiffs hired law firm involved in a trademark for Plaintiff. That trademark and company has since been abandoned and closed by Plaintiff because of the injuries that are at the gist of Plaintiffs complaint. The same law firm initiated FOIA requests for information from the Davenport Police department and Scott county prosecutors office which led to documentation discovery involved in Hammock v Jensen which seems to be at the root cause of Plaintiff's injuries. cause Plaintiff attempted to redress grievances against the local city, county, state govt. at a federal level. It would seem that Belin McCormick would recuse themselves from being involved in this case as their appears to be a conflict of interest. The most vitriolic statement

against Plaintiff “**delusional, fantastical, conspiracy theorist, etc ,**” seem to be stated the most from Belin McCormick attorneys. Plaintiff still owes Belin McCormick fees that Plaintiff was unable to pay from services several years ago.

### **ARGUMENT**

Defendants have not made any statements stating that Defendant Virgin Mobiles cellular services do not operate within the ‘**electromagnetic spectrum.**’

Defendants Virgin Mobile has not stated that their services within the ‘**electromagnetic spectrum**’ cannot be accessed by those operating under color of law or other 3rd parties associated with those operating under color of law.

Defendant Virgin Mobile has not stated that shocks, pains and subvocalized speech (microwave voices) cannot be delivered to Plaintiff causing Plaintiff the injuries that Plaintiff has stated in the Complaint and in subsequent filings using the ‘**electromagnetic spectrum**’ within which Defendant Virgin Mobile band services operate.

Defendant Virgin Mobile has not stated that the United States Military Electromagnetic Battle Management document illustrating EMS (electromagnetic spectrum) access and ability is a fraudulent document.

Defendants have a '**duty to disclose**' that their services operate within the electromagnetic spectrum particularly under the new Proposed Rule 26 (b)(1) and Rule 34 request amendments of the Federal Rules of Civil Procedure that took effect December 1, 2015.

Furthermore Johnson v City of Shelby 135 S.Ct. 346 state the "Federal pleading rules call for "a short and plain statement of the claim showing that the pleader is entitled to relief," Fed. Rule Civ. Proc. 8(a)(2); they do not countenance dismissal of a complaint for imperfect statement of the legal theory supporting the claim asserted.

"The federal rules effectively abolish the restrictive theory of the pleadings doctrine, making it clear that it is unnecessary to set out a legal theory for the plaintiff's claim for relief." In relation to the Unclassified Military "Electromagnetic Battle Management" document is solely not necessary to establish Plaintiffs claim but Plaintiff provided this document under the Federal Rules of Evidence "Rule 301. Presumptions in Civil Cases Generally



In a civil case, unless a federal statute or these rules provide otherwise, the party against whom a presumption is directed has the burden of producing evidence to rebut the presumption. But this rule does not shift the burden of persuasion, which remains on the party who had it originally.

#### Federal Rules of Evidence 401

**401. Test for Relevant Evidence:** Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action.

### CONCLUSION

WHEREFORE Plaintiff so moves this Court to deny Defendant Virgin Mobiles Motion to dismiss as well as have Defendants Belin McCormick Attorneys recuse themselves from this case as their is a conflict of interest.

Dated: January 4, 2016



### CERTIFICATE OF SERVICE

I hereby certify that I am placing in the U.S. Mail by certified mail a copy of this response to ALL Defendants and or Defendants Attorneys on January 4, 2016.



Notary: Subscribed and sworn on January 4, 2016

